

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HARBINGER F&G, LLC, : No. 12-cv-5315 (RA)(AJP)  
v. Plaintiff, : ECF Case  
OM GROUP (UK) Limited, :  
Defendant. :  
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**NOTICE OF MOTION OF  
DEFENDANT OM GROUP (UK)  
LIMITED FOR SUMMARY  
JUDGMENT**

PLEASE TAKE NOTICE that upon the accompanying Rule 56.1 Statement, the Declaration of Casey E. Donnelly sworn to October 4, 2013, and the exhibits thereto, and the accompanying Memorandum of Law, Defendant OM Group (UK) Limited, by its attorneys, shall move before the Honorable Ronnie Abrams, U.S.D.J., of the United States District Court for the Southern District of New York, 40 Foley Square, New York, New York at a date and time to be determined for an Order granting summary judgment in favor of Defendant pursuant to Rule 56 of the Federal Rules of Civil Procedure, and granting such additional relief as the Court deems just and proper.

Dated: New York, New York  
October 4, 2013

**WILLKIE FARR & GALLAGHER LLP**

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